

## **CWAC minutes January 21, 2011**

Members present: Kathy McElroy, Deborah Eves, Janine Tondrowski, Denise Dickerson, BJ Zarris, Mattie Satterfield, Allison Lowery, Virginia Powell, Lori Battin, Suzanne Fountain, Rita Katzman, Melanie Galloway, John Freeman, Dorothy Hollahan, Elizabeth Hutchens, Lisa Mathey, Catherine Hancock, Melissa O'Neill, Jane Crawley, JoAnn Wilson-Harfst, Hayley Mathews, Tamara Temoney, Denise Gallop, Lisa Watson, Pam Sheffield, Matt Wade, Wenda Singer, Therese Wolf

BJ Zarris welcomed the group and provided a brief review of the agenda. The group provided individual introductions. Paul McWhinney was attending subcommittee meetings at the General Assembly. Ms. Zarris added two items to the agenda; VDSS new organizational structure and training. The Department now has four Deputy Commissioners. In addition to Margaret Schultze (Operations) and Nathaniel Young (Child Support Enforcement), two new deputy level positions were created. Paul McWhinney is now the Deputy Commissioner for Programs and Donna Douglas is the Deputy Commissioner for Organizational Development as of 2/10/11. Mr. McWhinney will continue to perform the current Director of Family Services functions until that position is filled. The Division Director position should be posted for hire within a couple of weeks. Ms. Zarris mentioned the creation of a Local Training Work Group. This group has been formed to explore options and make a proposal on how to proceed in light of budget cuts and directive to "bring training in-house." The group will meet for first time on January 27, 2011. Representatives from local departments are Cathy Pemberton and Kevin Filbey.

The division has legislation that it has been tracking since the start of this General Assembly session. Ms. Zarris mentioned several Adult Services proposed bills that focus on creating penalties for perpetrators of abuse against adults and changing the definition of "incapacitated". Some proposed legislation of child welfare interest are:

**Senate Bill (SB) 1037** – seeks to eliminate the foster care goal of Independent Living

**SB 1038** – addresses the decision making process for determining which school a child in foster care attends

**SB 1040/House Bill (HB) 1767** – seeks to clean up the definition of foster care placement and changes wording around background checks for adults in the household from "may" conduct background checks to "shall".

**SB 1178/HB 1984** – promotes kinship care and lists placement and service options

**HB 236** – addresses Dept. of Juvenile Justice (DJJ) transitional plans for children coming out of DJJ to DSS custody.

**HB 2157** – addresses foreign adoptions and eliminating the need for children to be readopted in VA.

**HB 2037** – addresses the use of the term "social worker" and requires that individuals using that term in written documents attach the appropriate "letters" after their title.

**HB 1990** – attempts to combine court districts

Therese Wolf, Permanency Program Manager, spoke to the group about changes to Adoption Assistance guidance. These changes are being made to help simplify and clarify the Adoption Assistance process and create a consistent direction statewide. The division is committed to establishing and preserving lifelong families for children and reinforcing the value of family responsibility for the support and care of the children that are adopted. Adoption Assistance is

intended as a support for children with special needs, not as an entitlement. The Department needs to consistently share the philosophy and limitations of Adoption Assistance with families from initial approval instead of waiting until it is time to begin Adoption Assistance negotiations.

There are proposed changes in the guidance meant to simplify Adoption Assistance Agreements. There is a clarification that Adoption Assistance maintenance and Adoption Assistance services are separate parts of the agreement. There will no longer be “conditional agreements” that would begin at the onset of a condition. Instead people will be able to enter the agreement with “0” payments. Additionally, there is clarification on access to maintenance and services in pre-and post finalized Adoption Assistance agreements. Virginia needs to change processes to increase the ability to access Title IV-E Adoption Assistance. Meeting Virginia’s definition of special needs is adequate for being in compliance with federal requirements for Title IV-E funding, but there is a need to add SSI eligibility to guidance as a condition for federal Adoption Assistance funding. There is a need to define emotional ties to foster parents that would require input from experts in the field. There are several factors to take into consideration including: age and developmental level of child, relationship and/or attachment with caregiver, establishing and maintaining connections with siblings, attachment with siblings, length of time, quality of time, and family circumstances. There remain issues with sibling placement concerning eligibility.

The process to revise guidance seeks to clear up issues related to negotiation of Adoption Assistance agreements. The **Federal language** says: ... the title IV-E adoption assistance program is intended to encourage an action that will be a lifelong social benefit to certain children and not to meet short-term monetary needs during a crisis... the amount of the adoption assistance payment is determined through the **discussion and negotiation process** between the adoptive parents and ... the State agency based upon the needs of the child and the **circumstances of the family**. The payment that is agreed upon should combine with the parents' resources to cover the ordinary and special needs of the child projected over an extended period of time and should cover anticipated needs, e.g., child care. **Anticipation and discussion of these needs** are part of the negotiation of the amount of the adoption assistance payment.

**Source/Date:** ACYF-CB-PA-01-01 (1/23/01)

**Legal and Related References:** Social Security Act - section 473 (a)(3)

Virginia needs to clearly define family circumstances that would affect the adoption. Additionally, there needs to be consensus about what expectations have been communicated to adoptive families about Adoption Assistance. For example, adoptive families are not entitled to what they received as payment while the children were in foster care because all adoption assistance is open for negotiation and the local departments may not pay the maximum maintenance amount. These expectations should be managed from the outset of the process.

Adoption Assistance for children who need a residential placement will be addressed in revised guidance. The state will pay 100% of the placement cost for the residential placement, but there is a need to determine if that cost includes things like clothing and other incidentals. The cost of residential placement is a shared responsibility between the state and the parents and parents are asked to voluntarily give up a portion of the assistance payment. If a parent refuses to give up a portion of the assistance, the local department may file for child support. The Department is

currently exploring the legal basis for collecting child support. The department is also determining if the amount of assistance remitted should be based on each family or if there should be a set amount returned. Residential placements should be a last resort, short termed intervention with treatment plans that must include reunification with family in a safe but timely manner. An issue that still needs clarification is monitoring of the child while he/she is in the residential placement.

There are several other issues that need to be addressed within the revised guidance such as what is the role of the Resource Family Consultants and what is the role of CRAFFT. There will be a need to provide training to local departments and LCPA's once the guidance is finalized. Ms. Wolf will provide a draft of the revised Adoption Assistance guidance by the next CWAC meeting.

Pam Sheffield made a presentation on the upcoming release of OASIS 3.8 and the anticipated changes. This release is anticipated for March. These are some of the highlights of the presentation. The CPS purge process will change slightly because the entire referral will purge with last client that purges instead of current 60 day delay. When the Family Partnership Meeting is selected, the purpose will now only allow for four selections: High Risk/Very High Risk Assessment Planning, Emergency Removal, Placement Change, and Permanency Planning/Goal Change. There is a clarification on the Removal screen to accurately indicate that a child has been "returned from DJJ" when they return to foster care after being committed to corrections. For AFCARS reasons, the system will default to the caretaker listed on the previous removal. There are several fixes related to the Adoption Progress Report (APR). The APR cannot be completed if there is no Termination of Parental Rights (TPR) entered or if both parents do not indicate the TPR is ordered. The AREVA registration will be required to save *Not in Adoptive Placement* unless a TPR appeal is indicated. The Final Order date will now populate in both the Foster Care and Adoption cases.

There is a new local agency security level (42) which allows access to open and closed restricted referrals/cases if not the supervisor or worker, with the exception of closed adoption records. There will be a restricted button added to the following screens to enable restriction of an open or closed referral or case from more than one place: Case Summary, Referral Acceptance, Family Assessment Closure, Investigation Closure, and Client Search Detail Level (Referral History and Case History). There are several changes concerning Independent Living (IL). The IL section will be copied over to adoption cases as children adopted on or after age 16 are eligible for IL services. Additionally, information on the educational screen will be copied into the IL section. Some additional updates include several "clean up" measures. When a client/collateral is end dated or marked as nonparticipating, that person will no longer display as active on the client/collateral list for a Contact. This should help localities with data clean up around monthly worker visits.

The 3.9 release of OASIS will have enhancements to support statewide implementation of SDM. The SDM tools will be accessible from the navigation bars instead of from specific screens. With the exception of OOF and DOOF, the tools will replace the use of the Initial Safety Assessment and Risk Assessment screens in investigations and family assessments. The buttons will be renamed OOF Safety and OOF Risk in Investigation. The Family Assessment screen has

been revised replacing the Needs screen in Investigations. The tools will now populate data to specific screens; i.e. the intake tool populates to the Referral Acceptance screen. This release is scheduled for July 2011.

Rita Katzman presented an overview of Structured Decision Making (SDM) and an implementation timeline. Improving response time and improving assessment of safety and risk of children are primary goals of Virginia's Program Improvement Plan. Specific strategies include reviewing/revising and implementing SDM tools to accurately and consistently assess initial safety and risk factors for children. Part of the strategy includes developing a training curriculum and training plan for implementation. VDSS has developed an intensive, two-day training to address CPS Intake, as well as Safety and Risk Assessment using SDM. This training is not just a review of the tools, and is not the same training pilot agencies received in the past. Revised state CPS guidance will provide the basis for the training. This course offers a critical discussion of the difference between safety and risk with application of the tools to guide information gathering for better assessments of response time, safety and risk. This course will be co-facilitated by state and local staff. Many local department staff have generously offered to partner with VDSS to co-train this course. VDSS plans to provide travel and lodging reimbursement for these trainers.

A CPS OASIS workgroup comprised of LDSS and VDSS staff was formed and met for the first time in September 2010 to make recommendations for updating the CPS screens to incorporate documentation for the SDM Intake, Safety and Risk assessments/tools. This group met in November and plans to meet again in January 2011. The trainings are scheduled to begin in April 2011 with a two day training for trainers. The course will be offered several times in May, June, and July 2011 - approximately 45 two-day sessions. The CPS Regional Consultants are firming up dates and locations. Registration will be through the Knowledge Center. The OASIS 3.9 release for CPS SDM is scheduled for July 2011. New CPS guidance that incorporates SDM will also go into effect in July. If there are any questions, please contact Rita Katzman at [rita.katzman@dss.virginia.gov](mailto:rita.katzman@dss.virginia.gov).

The meeting was adjourned at 1:00 pm. The February meeting is scheduled for Friday, February 18th from 10:00 – 1:00 pm. Suggested agenda items for this meeting include: undocumented youth and provision of services for those children, home studies for Resource Families, TFC issues. If there are agenda topics you would like to see added, please contact Deborah Eves ([Deborah.eves@dss.virginia.gov](mailto:Deborah.eves@dss.virginia.gov)).